

RESTRICTION REQUIREMENT SUMMARY

The Examiner has required restriction of claims 26 – 61 to a single invention under 35 U.S.C. §121 and 372. Claims 26 - 61 were subjected to a Restriction Requirement as follows:

Group I: claims 26 – 39, are asserted to be drawn to a method for detecting an analyte in a fluid sample;

Group II: claims 40 – 57, are asserted to be drawn to a system for performing the method of detecting an analyte in a fluid sample; and

Group III: claims 58 – 61, are asserted to be drawn to a kit for use in the method of detecting an analyte in a fluid sample.

RESPONSE

Applicant elects to continue prosecution of Group I, claims 26 – 39 without traverse. In view of the foregoing, Applicant respectfully requests that the Examiner conduct on first examination of the elected claims on the merits.

CONCLUSION

In light of the foregoing, Applicant submits that the application is in condition for a first substantive examination. If the Examiner believes the application is not in condition for substantive examination, Applicant respectfully requests that the Examiner contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

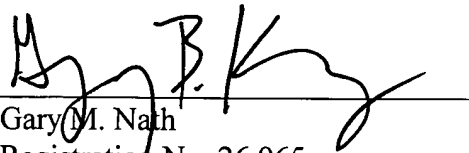
In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: August 30, 2005

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A handwritten signature in black ink, appearing to read "Gary M. Nath", written over a horizontal line.

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